

## CLAIMS AMENDMENTS

1. (previously presented) Method for the testing of cubio-shaped cigarette packs (10) of formable packaging material by impinging the pack (10) with a defined pressure created by lowering a pressure-exerting means (26) onto the pack (10) in a uniform motion and measuring the resulting deformations of the pack (10), comprising the steps of:

a) during the deformation of the pack (10) by the pressure-exerting means (26), measuring (i) the distance covered by the pressure-exerting means (26) and (ii) using a measuring device (28) to determine the counterforce of the pack (10) exerted against the pressure-exerting means (26);

b) determining a force versus distance diagram from the measured values of the distance and counterforce measured in step a); and

c) comparing the force versus distance diagram with at least one additional force versus distance diagram for the same or a different pack (10).

2. (previously presented) Method according to Claim 1, wherein the distance is measured by a position sensor (31) and the measuring device is a load cell (28).

3. (previously presented) Method according to Claim 1, further comprising the step of generating and displaying a graphic representation of force versus distance diagram, which shows the resistance force of the pack (10) as counterforce and which varies as the result of the increasing deformation of the pack (10) under uniform movement of the pressure-exerting means (26).

4. (previously presented) Method according to claim 3, wherein the graphic representation of the course of force acting on the pack (10) during its deformation is plotted as a curve, namely as the force applied to the pack (10) by the pressure-exerting means (26) over the distance traveled by the pressure-exerting means (26) acting on the pack (10).

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5. (previously presented) Method according to Claim 2, wherein the course of force acting on the pack (10) during uniform movement of the pressure-exerting means (26) is represented as a second derivative of the force versus distance diagram.

6. (previously presented) Method according to Claim 1, wherein the pack (10) is a cuboid-shaped pack (10) comprising a large surface front side (13) and corresponding rear side and the force is transferred to the pack (10) across the entire pack surface on the entire large front side (13) or rear side.

7. (previously presented) Method according to Claim 1, wherein the pressure-exerting means (26) is applied to the pack (10) at a constant rate of movement and the measuring device is a pressure gauge.

8. (canceled).

9. (previously presented) Method according to Claim 2, wherein the measuring results of the load cell (28) and of the position sensor (31) are evaluated by a computer and plotted as a second derivative curve.

10. (currently amended) Apparatus for the testing of cigarette packs (10) of formable packaging material, in which the pack (10) is positioned between opposing pressure-exerting means, and in which at least one pressure-exerting means is movable against the pack (10), comprising:

a) a position sensor (31) arranged on the pressure-exerting means that is movable against the pack (10); and

b) a load cell (28) arranged on the other pressure-exerting means, wherein the opposing pressure exerting means comprises an upper pressure plate (26) and a lower bearing plate (27), and the pressure plate (26) is mounted on a carrier that can be moved up and down on a pressure strut (24), which can be displaced by means of a uniformly driven gear mechanism.

11. -12. (canceled).

13. (previously presented) Apparatus according to Claim <sup>10</sup>11, further comprising a supporting framework with an upper traverse (22) and a lower traverse (23), which are connected to one another by supporting columns (20, 21), with the pressure strut (24) being displaceably mounted on the supporting columns (20, 21) and the load cell (28) positioned on the lower traverse (23).
14. (previously presented) Apparatus according to Claim <sup>10</sup>11, wherein the position sensor (31) is attached to the displaceable pressure strut (24).
15. (previously presented) Apparatus according to Claim 10, further comprising a test station (39) to which the apparatus, the test station being assigned to a packaging unit (42) for random testing of the packs (10).
16. (previously presented) Apparatus according to Claim 15, wherein the test station (39) is positioned in the region of a pack conveyor (38) between a packer (36) and a cello-packer (37).
17. (previously presented) Apparatus according to Claim 15, wherein a plurality of packaging units (42) having at least one test station (39) each are connected to a central computer (43) for the central logging of operational data concerning the testing results.
18. - 29. (canceled).
30. (previously presented) Method according to Claim 3, wherein the course of force acting on the pack (10) during uniform movement of the pressure exerting means (26) is represented as a second derivative of the force versus distance diagram.
31. (previously presented) Method according to Claim 2, wherein the pack (10) is a cuboid-shaped pack (10) comprising a large surface front side (13) and corresponding rear side and the force is transferred to the pack (10) across the entire pack surface on the entire large front side (13) or rear side.

32. (previously presented) Method according to Claim 3, wherein the pack (10) is a cuboid-shaped pack (10) comprising a large surface front side (13) and corresponding rear side and the force is transferred to the pack (10) across the entire pack surface on the entire large front side (13) or rear side.

33. (previously presented) Method according to Claim 5, wherein the pack (10) is a cuboid-shaped pack (10) comprising a large surface front side (13) and corresponding rear side and the force is transferred to the pack (10) across the entire pack surface on the entire large front side (13) or rear side.

34. (previously presented) Method according to Claim 2, wherein the pressure-exerting means (26) is applied to the pack (10) at a constant rate of movement and the measuring device is a pressure gauge.

35. (previously presented) Method according to Claim 3, wherein the pressure-exerting means (26) is applied to the pack (10) at a constant rate of movement and the measuring device is a pressure gauge.

36. (previously presented) Method according to Claim 5, wherein the pressure-exerting means (26) is applied to the pack (10) at a constant rate of movement and the measuring device is a pressure gauge.

37. (previously presented) Method according to Claim 6, wherein the pressure-exerting means (26) is applied to the pack (10) at a constant rate of movement and the measuring device is a pressure gauge.

38. (previously presented) Apparatus according to Claim 13, wherein the position sensor (31) is attached to the displaceable pressure strut (24).

39. (previously presented) Apparatus according to Claim 11, further comprising a test station (39) to which the apparatus, the test station being assigned to a packaging unit (42) for random testing of the packs (10).

40. (previously presented) Apparatus according to Claim 13, further comprising a test station (39) to which the apparatus, the test station being assigned to a packaging unit (42) for random testing of the packs (10).

41. (previously presented) Apparatus according to Claim 14, further comprising a test station (39) to which the apparatus, the test station being assigned to a packaging unit (42) for random testing of the packs (10).

42. (previously presented) Apparatus according to Claim 16, wherein a plurality of packaging units (42) having at least one test station (39) each are connected to a central computer (43) for the central logging of operational data concerning the testing results.

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13. (previously presented) Apparatus according to Claim 11, further comprising a supporting framework with an upper traverse (22) and a lower traverse (23), which are connected to one another by supporting columns (20, 21); with the pressure strut (24) being displaceably mounted on the supporting columns (20, 21) and the load cell (28) positioned on the lower traverse (23).

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14. (previously presented) Apparatus according to Claim 11, wherein the position sensor (31) is attached to the displaceable pressure strut (24).

15. (previously presented) Apparatus according to Claim 10, further comprising a test station (39) to which the apparatus, the test station being assigned to a packaging unit (42) for random testing of the packs (10).

16. (previously presented) Apparatus according to Claim 15, wherein the test station (39) is positioned in the region of a pack conveyor (38) between a packer (36) and a cello-packer (37).

17. (previously presented) Apparatus according to Claim 15, wherein a plurality of packaging units (42) having at least one test station (39) each are connected to a central computer (43) for the central logging of operational data concerning the testing results.

18. - 29. (canceled).

30. (previously presented) Method according to Claim 3, wherein the course of force acting on the pack (10) during uniform movement of the pressure exerting means (26) is represented as a second derivative of the force versus distance diagram.

31. (previously presented) Method according to Claim 2, wherein the pack (10) is a cuboid-shaped pack (10) comprising a large surface front side (13) and corresponding rear side and the force is transferred to the pack (10) across the entire pack surface on the entire large front side (13) or rear side.

32. (previously presented) Method according to Claim 3, wherein the pack (10) is a cuboid-shaped pack (10) comprising a large surface front side (13) and corresponding rear side and the force is transferred to the pack (10) across the entire pack surface on the entire large front side (13) or rear side.

33. (previously presented) Method according to Claim 5, wherein the pack (10) is a cuboid-shaped pack (10) comprising a large surface front side (13) and corresponding rear side and the force is transferred to the pack (10) across the entire pack surface on the entire large front side (13) or rear side.

34. (previously presented) Method according to Claim 2, wherein the pressure-exerting means (26) is applied to the pack (10) at a constant rate of movement and the measuring device is a pressure gauge.

35. (previously presented) Method according to Claim 3, wherein the pressure-exerting means (26) is applied to the pack (10) at a constant rate of movement and the measuring device is a pressure gauge.

36. (previously presented) Method according to Claim 5, wherein the pressure-exerting means (26) is applied to the pack (10) at a constant rate of movement and the measuring device is a pressure gauge.

37. (previously presented) Method according to Claim 6, wherein the pressure-exerting means (26) is applied to the pack (10) at a constant rate of movement and the measuring device is a pressure gauge.

38. (previously presented) Apparatus according to Claim 13, wherein the position sensor (31) is attached to the displaceable pressure strut (24).

39. (previously presented) Apparatus according to Claim 11, further comprising a test station (39) to which the apparatus, the test station being assigned to a packaging unit (42) for random testing of the packs (10).